

**PROPOSED DISCUSSION DRAFT FOR TOWN HALL MEETINGS
OF MAY 6 AND MAY 7, 2013**



VICTIM RELIEF FUND

**DRAFT PROTOCOL
SUBJECT TO REVISION**

May 6, 2013

This is a draft Protocol. The Final Distribution Protocol, which will govern the Victim Relief Fund of the One Fund Boston ("OFB"), will be developed by the Administrator, incorporating feedback from the Town Hall meetings held by the Administrator on May 6 and May 7, 2013, and is subject to approval by the Board of Directors of the OFB and discussions with the IRS regarding the OFB's 501(c)(3) status.

All aspects of this draft Protocol, including without limitation the classifications of claimants, distribution criteria, claims process and timetable, and amounts to be awarded, may be revised and are subject to the full and complete discretion of the Administrator, subject only to the approval of the OFB Board of Directors.

Note: Allocations of amounts in each of the following categories will depend upon the following: 1) the balance in the OFB on June 30, 2013, 2) the receipt of updated data regarding the nature and the number of injuries, and 3) completion of the review of all submitted claims taking into account the individual needs and circumstances of each claimant.

PROPOSED PRIORITIZATION OF ELIGIBLE INDIVIDUAL CLAIMS

A. Individual Death Claims and Individual Claims for Victims who Sustained a Double Amputation of Limbs or Individual Victims who Sustained Permanent Brain Damage.

Eligible Claimants for death or for those physically injured victims involving double amputations of limbs or permanent brain damage as a result of the Boston Marathon Bombings will be considered the most seriously injured and will receive the highest category of payment under the scope of this protocol based upon an evaluation of the claimant's circumstances. (A final payment determination will be made upon receipt of all pertinent data and is subject to all comments above.)

B. Individual Physical Injury Claims for Victims who Sustained Amputation of a Limb

Eligible Claimants who were physically injured and who suffered amputation of a limb as a result of the Boston Marathon Bombings will receive a priority payment based upon an evaluation of the circumstances of the claimant. (A final payment determination will be made upon receipt of all pertinent data and is subject to all comments above.)

C. Individual Physical Injury Claims of Victims Requiring Overnight Hospitalization

All other Eligible Claimants who were physically injured and hospitalized overnight between April 15, 2013 and May 15, 2013 due to physical injuries resulting from the Boston Marathon Bombings will receive a priority payment based upon the individual circumstances of the claimant. (A final payment determination will be made upon receipt of all pertinent data and is subject to all comments above.)

• PROCESS AND PROCEDURES

Eligible claimants should file either a Deceased Claim Form or Physical Injury Claim Form to participate in the program. A single claim form should be submitted for each eligible claimant.

The process and procedures for consideration of eligible claims will be as follows:

A. A uniform claim form (one for a deceased victim and one for a physically injured victim) and a copy of the Final Protocol will be provided to all known claimants and those potential claimants registered through the OFB website, beginning on May 15, 2013 by U.S. mail. The Protocol and Claim Forms may also be downloaded from the OFB website at www.onefundboston.org, and copies may be requested by emailing the Fund Administrator at claimantservices@onefundboston.org. The claim form should be completed and submitted to the Fund Administrator (along with all required attachments) postmarked no later than June 15, 2013. Claim Forms should be mailed to:

The One Fund Boston
c/o Kenneth R. Feinberg
Fund Administrator
Feinberg Rozen, LLP
1455 Pennsylvania Avenue, N.W., Suite 390
Washington, DC 20004

B. Individual claimants may request a face-to-face personal meeting (or telephonic meeting) with the Fund Administrator before the final processing of all claims is completed. These meetings will be scheduled before the individual claim is processed but will not serve to alter the Final Protocol or any allocation set forth in the Final Protocol. Requests to meet with the Fund Administrator should be sent by email request to the Fund Administrator c/o claimantservices@onefundboston.org., or by calling the OFB toll-free line at 855 617-FUND.

C. In the event that a claimant submits an incomplete or deficient claim, e.g. the claimant failed to include required documentation or failed to sign the claim form, a representative from the Fund Administrator's office will informally work with the claimant in an effort to cure any such deficiencies.

D. Payments will be issued on a rolling basis following the rendering of a final review and determination. The OFB Fund Administrator will submit final payment determinations to the Treasurer of the OFB Board who will authorize the payment, by check or electronic bank wire, to each eligible claimant. Checks will be sent to claimants via courier service.

E. A claim form filed for a death claimant will require the spouse's signature if the deceased individual was married at the time of death. In cases where the victim was not married, the personal representative legally administering the estate must sign the claim form. (See Section 4 of the Claim Form for Deceased Victims for documentation requirements.) The claim form will require the signature of both parents for a claim filed for a minor child (if both parents are living).

F. A claim form filed for a physical injury claimant must include a hospital statement which confirms: i) date of admission and discharge from the hospital, and ii) that the injury was sustained as a result of the Boston Marathon Bombings. The claim form must also include other pertinent information pertaining to the individual circumstances of the Claimant as required.

G. Individuals should contact their tax advisor for any questions regarding tax liability for these payments.

H. A full audit of the OFB will be conducted by an independent auditing firm as soon as possible after December 31, 2013 which is the end of the OFB fiscal year. The results of this audit will be made available to all claimants, donors and the general public along with a Final Report from the Fund Administrator.

- **OUTREACH**

A. Two group meetings were conducted by the Fund Administrator on May 6 and May 7, 2013 in the Rabb Lecture Hall of the Boston Public Library, 700 Boylston Street in Boston, Massachusetts, to explain the contents of the draft Interim Protocol and the claim submission process and to invite claimant and public input. Information collected from these group meetings was considered in finalizing this Protocol.

B. Once finalized the Protocol and the claim forms will be disseminated to all known and registered victims and made available on the OFB website to any interested parties beginning on May 15, 2013, the date of this Final Protocol. **The deadline for submission of the claim form is June 15, 2013.** The Fund Administrator will work directly with all claimants as requested to make sure that all claims are submitted by the June 15 deadline.

C. Optional face-to-face meetings with the Fund Administrator will be scheduled at the claimant's request. All claims will be processed during the period between June 15 and June 30, 2013. All claimants requesting face-to-face meetings with the Fund Administrator before the claim is processed will be afforded such a meeting during the period between June 15 and June 25, 2013. Meetings will be scheduled at mutually convenient times and locations. In lieu of a face-to-face meeting, the claimant may request a telephonic meeting. To request a meeting please send your request via email to claimantservices@onefundboston.org.

A list of organizations able to provide assistance to those seeking counseling will be provided on the OFB website at www.onefundboston.org.

- **ANTICIPATED TIMELINE**

- May 6 and May 7 2013: The Fund Administrator conducted two group meetings in Boston, Massachusetts
- May 15, 2013: Final Protocol and Claim Forms disseminated to all known claimants and potential claimants who registered through the OFB website and available on the Fund website for families, and all interested parties.
- May 15 -- June 15, 2013: Claim forms completed and submitted to the Fund Administrator along with any other required documentation pertaining to the needs and individual circumstances of the Claimant.
- June 15 – June 25 2013: All personal meetings requested with the Fund Administrator will be completed.
- June 16 – June 30, 2013: All claims reviewed by the Fund Administrator.
- June 30, 2013: Initial emergency advance payments begin on a rolling basis to eligible claimants who have submitted completed, signed and documented claim forms.
- July 1 – December 31, 2013: In consultation with the victims and the community, the Board of the OFB will continue operations to identify, review and respond to the future needs of the victims and the broader affected community. Appropriate protocols and criteria will be developed to address these issues.
- After December 31, 2013: Independent Audit begins.